

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

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|--------------------------|---|--------------------|
| MARY L. LOGAN, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | NO. CIV-04-0687-HE |
| |) | |
| JO ANNE B. BARNHART, |) | |
| COMMISSIONER, SOCIAL |) | |
| SECURITY ADMINISTRATION, |) | |
| |) | |
| Defendant. |) | |

ORDER

This case is before the Court on the Report and Recommendation of Magistrate Judge Doyle W. Argo. Plaintiff brought this action pursuant to 42 U.S.C. § 405(g) seeking judicial review of the denial of her claim for disability insurance benefits and supplemental security income benefits under the Social Security Act. Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred to Judge Argo for review. Judge Argo issued his Report and Recommendation, recommending that the defendant's decision be affirmed. In particular, Judge Argo concluded that the Administrative Law Judge ("ALJ") did not ignore probative evidence related to mental impairments or issue inconsistent and unclear findings related to plaintiff's mental residual functional capacity ("RFC"). In addition, Judge Argo concluded that the ALJ's findings with respect to plaintiff's mental RFC were based on substantial

evidence. The matter is currently before the Court on plaintiff's objection to the Report and Recommendation.¹

Plaintiff makes only one specific objection to the Report and Recommendation. Otherwise, she simply reurges the same arguments presented to the magistrate judge. With respect to the specific objection, plaintiff complains that, in making his decision, the ALJ ignored a low Global Assessment of Functioning ("GAF") score given to plaintiff by one doctor and that, upon review, the magistrate judge "missed the point" by noting that a GAF score of 45 does not, by itself, "constitute evidence of an impairment seriously interfering with a claimant's ability to work."


While the magistrate judge did point out that a score of 45 does not compel a finding of a severe mental impairment, he also concluded that the ALJ had adequately considered the relevant medical evidence, including the score of 45 as well as plaintiff's most recent score of 60, before making a decision. Having considered the matter *de novo*, the Court concurs with the magistrate judge's conclusion that the ALJ did not err in failing to specifically mention the GAF score of 45 and that all relevant evidence was considered by the ALJ with respect to plaintiff's mental impairments.

Accordingly, the Report and Recommendation is **ADOPTED** in its entirety and the Commissioner's decision denying plaintiff's claim for benefits is **AFFIRMED**.

¹*Because plaintiff has objected to the Report and Recommendation, the matter is reviewed de novo. 28 U.S.C. § 636(b)(1)(C).*

IT IS SO ORDERED.

Dated this 14th day of June, 2005.



JOE HEATON
UNITED STATES DISTRICT JUDGE